

County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney Suite 549, 12000 Government Center Parkway Fairfax, Virginia 22035-0064 Phone: (703) 324-2421; Fax: (703) 324-2665 www.fairfaxcounty.gov

DATE:

May 9, 2012

TO:

Brent Krasner, Staff Coordinator

Zoning Evaluation Division

Department of Planning and Zoning

FROM:

Bette R. Crane, Paralegal

Office of the County Attorney

SUBJECT:

Revised Affidavit

CDPA-C-108-02/FDPA-C-108-04

Applicant: Arlington Boulevard Development, LLC

PC Hearing Date: 10/17/12

BOS Hearing Date: None scheduled

REF.:

115809

Attached is an affidavit which has been approved by the Office of the County Attorney for the above-referenced case. Please include this affidavit dated 2/28/12, which bears my initials and is numbered 115809, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Laura Gumkowski, Planning Technician

Zoning Evaluation Division

Department of Planning and Zoning

DATE: Feburary 28, 2012 (enter date affidavit is notarized) L Elizabeth D. Baker, agent , do hereby state that I am an (enter name of applicant or authorized agent) (check one) applicant 115809 applicant's authorized agent listed in Par. 1(a) below (enter County-assigned application number(s), e.g. RZ 88-V-001) in Application No.(s): and that, to the best of my knowledge and belief, the following information is true: The following constitutes a listing of the names and addresses of all APPLICANTS, TITLE 1(a). OWNERS, CONTRACT PURCHASERS, and LESSEES of the land described in the application,* and, if any of the foregoing is a TRUSTEE,** each BENEFICIARY of such trust, and all ATTORNEYS and REAL ESTATE BROKERS, and all AGENTS who have acted on behalf of any of the foregoing with respect to the application: (**NOTE**: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.) NAME RELATIONSHIP(S) (enter first name, middle initial, and (enter number, street, city, state, and zip code) (enter applicable relationships listed in **BOLD** above) last name) Applicant/Title Owner of Tax Map 4445 Willard Avenue, Suite 400 Arlington Boulevard Development, Chevy Chase, MD 20815 51-3 ((1)) 1D L.L.C. Agents: Thomas A. Sebastian C. Michael Skena Jason ("Jay") W. Klug Grant M. Ehat

(check if applicable)

Robert J.T. Rosenfeld James J. Garibaldi, Jr. David G. Wagner Krista C. Di Iaconi

- [\(\mu\)] There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.
- * In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
- ** List as follows: <u>Name of trustee</u>, Trustee for (<u>name of trust</u>, <u>if applicable</u>), for the benefit of: (<u>state name of each beneficiary</u>).

FORM RZA-1 Updated (7/1/06)

Page 1 of 2

Rezoning Attachment to Par. 1(a)

DATE: February 28, 2012

(enter date affidavit is notarized)

115809

for Application No. (s): _

DPAC-108-02/FDPAC-108-04 (enter County-assigned application number (s))

(NOTE: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME

ADDRESS

RELATIONSHIP(S)

(enter first name, middle initial, and

last name)

(enter number, street, city, state, and zip code)

(enter applicable relationships listed in **BOLD** above)

Hord Coplan Macht, Inc.

Agents:

Agents:

Joseph A. Schneider Edward M. Hord

Miguel I. Iraola Chris J. Harvey

John J. Harris Chris L. Schein 225 Reinekers Lane

Suite 205

Alexandria, Virginia 22314

Architect/Landscape Architect/Agent

M.J. Wells & Associates, Inc.

1420 Spring Hill Road, Suite 600

McLean, Virginia 22102

Transportation Consultant/

Agent

VIKA, Incorporated

Robin L. Antonucci Kevin R, Fellin Priyatham Konda Brian J. Horan

8180 Greensboro Drive, Suite 200

McLean, VA 22102

Engineers/Agent

Agents:

Robert R. Cochran

P. Christopher Champagne

John F. Amatetti

8180 Greensboro Drive, Suite 200 McLean, VA 22102

Engineers/Agent

VIKA Virginia, LLC

Robert R. Cochran P. Christopher Champagne

John F. Amatetti

Agents:

(check if applicable)

There are more relationships to be listed and Par. 1(a) is continued further

on a "Rezoning Attachment to Par. 1(a)" form.

DRM RZA-1 Updated (7/1/06)

Page 2 of 2

Rezoning Attachment to Par. 1(a)

DATE: February 28, 2012

(enter date affidavit is notarized)

115809

for Application No. (s):

(enter County-assigned application number (s))

(<u>NOTE</u>: All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME

(enter first name, middle initial, and last name)

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

Agents:
Martin D. Walsh
Lynne J. Strobel
Timothy S. Sampson
M. Catharine Puskar
Sara V. Mariska
G. Evan Pritchard
Jonathan D. Puvak
Elizabeth D. Baker
Inda E. Stagg
Elizabeth A. McKeeby

ADDRESS

(enter number, street, city, state, and zip code)

2200 Clarendon Boulevard 13th Floor Arlington, Virginia 22201 RELATIONSHIP(S)

(enter applicable relationships listed in **BOLD** above)

Attorneys/Planners/Agent

(check if applicable)

[] There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.



for An	DATE: Feburary 28, 2012 (enter date affidavit is notarized) [15 809] plication No. (s): CDPA C-108-02 FDPAC-108-04
	plication No. (s): CDPA C-108-02 FDPAC-108-04 (enter County-assigned application number(s))
1(b).	The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:
	E: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE STMENT TRUSTS herein.)
	CORPORATION INFORMATION
Arling 4445 V	E & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code) ton Boulevard Development, L.L.C. Villard Avenue, Suite 400 Chase, MD 20815
DES	 [7] There are 10 or less shareholders, and all of the shareholders are listed below. [] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below. [] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.
JBG I	ES OF SHAREHOLDERS: (enter first name, middle initial, and last name) nvestment Fund VII, L.L.C., Member company Manager IV, L.L.C., Managing Member
	ES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. President, President, Secretary, Treasurer, etc.)
(check	There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.
succes has no CONT must i	Il listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down sively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, TRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown include a listing and further breakdown of all of its partners, of its shareholders as required above, and of ciaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or

trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on

the attachment page.

D 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Page 1 of 4
Rezoning Attachment to Par. 1(b)	
DATE: February 28, 2012	110000
(enter date affidavit is notarized)	115809
for Application No. (s): CDPA C-108-02/FDPA C-108-04	
(enter County-assigned application number (s))	
NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, s JBG/Company Manager IV, L.L.C.	tate, and zip code)
4445 Willard Avenue, Suite 400 Chevy Chase, MD 20815	
DESCRIPTION OF CORPORATION: (check <u>one</u> statement)	
[/] There are 10 or less shareholders, and all of the shareholders are listed below.	
[] There are more than 10 shareholders, and all of the shareholders owning 10% class of stock issued by said corporation are listed below.	or more of any
[] There are <u>more than 10</u> shareholders, but <u>no shareholder owns 10% or more ostock issued by said corporation, and <u>no shareholders are listed below.</u></u>	f any class of
NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)	
Members: James L. Iker, W. Matt Kelly, Brian P. Coulter, Robert A. Stewart, Michael J. Glosserman	
NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and	d title, e.g.
President, Vice-President, Secretary, Treasurer, etc.)	, 0
NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, sta JBG Investment Fund VII, L.L.C. 4445 Willard Avenue, Suite 400	te, and zip code)
Chevy Chase, MD 20815	
DESCRIPTION OF CORPORATION: (check <u>one</u> statement)	
[] There are 10 or less shareholders, and all of the shareholders are listed below. [] There are more than 10 shareholders, and all of the shareholders owning 10%	
[\mathcal{I}] There are more than 10 shareholders, and all of the shareholders owning 10% class of stock issued by said corporation are listed below.	of more of any
[] There are more than 10 shareholders, but no shareholder owns 10% or more of	of any class
of stock issued by said corporation, and no shareholders are listed below.	
NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)	
JBG/Fund VII Qualified Investor, L.L.C., Member	
NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and President, Vice-President, Secretary, Treasurer, etc.)	d title, e.g.
	d Coute on a
(check if applicable) [\(\mu\)] There is more corporation information and Par. 1(b) is continue "Rezoning Attachment to Par. 1(b)" form.	ca turtner on a

							Page 2 of 4
		R	ezoning Atta	chment to I	Par. 1(b)		
for Applicatio	n No. (s):	c	DPAC-1E	affidavit is	notarized) PA C - いる - n number (s))	04	115809
	nalified Investor, L enue, Suite 400		FION: (enter	complete nam	e, number, street	t, city, state, an	d zip code)
[]	There are mor class of stock There are mor stock issued by	r less share e than 10 sh ssued by sa e than 10 sh said corpo	cholders, and a hareholders, an hid corporation hareholders, bu bration, and no	ll of the share d all of the sh are listed bel t no sharehold shareholders	holders are listed areholders ownir ow. der owns 10% or are listed below. tial, and last nam	ng 10% or mor more of any c	
	OFFICERS & e-President, Sec		•	rst name, mid	dle initial, last na	me, and title, o	e.g.
Walsh, Colucci, L	ubeley, Emrich & Boulevard, 13th Flo	Walsh, P.C.	ON: (enter co	mplete name,	number, street, c	city, state, and	zip code)
DESCRIPTIO [] [/]	There are mor class of stock There are mor	r less share e than 10 sh issued by sa e than 10 sh	holders, and al nareholders, an aid corporation nareholders, bu	l of the sharel d all of the sh are listed bel t no sharehole	nolders are listed areholders ownir ow. der owns 10% or ers are listed belo	ng 10% or mor more of any c	·
David J. Bomgard Goetzman, Bryan	lner, E. Andrew Bu	rcher, Thoma el D. Lubeley	is J. Colucci, Pete	er M. Dolan, Jr.,		ım A. Fogarty, Jo	hn H. Foote, H. Mark J. Strobel, Garth M.
NAMES OF (OFFICERS &	DIRECTO	DRS: (enter fü	rst name mid	dle initial last na	me and title	. o

There is more corporation information and Par. 1(b) is continued further on a

"Rezoning Attachment to Par. 1(b)" form.

(check if applicable)

President, Vice-President, Secretary, Treasurer, etc.)

 $[\mathbf{v}]$

Rezoning Attachment to Par. 1(b)

for Application	n No. (s):	\mathcal{C}	February 28, (enter date DPA C-108 ounty-assigned	115809		
NAME & ADI VIKA, Incorporate 8180 Greensboro McLean, VA 2210	ed Drive, Suite 200	RPORAT	TION: (enter co	omplete name, n	umber, street, ci	ty, state, and zip code)
[/] [] NAMES OF T	There are more class of stock is There are more stock issued by HE SHAREHO Charles A. Irish, Jr.,	less share than 10 sh ssued by sa than 10 sh said corpo	cholders, and all hareholders, and hid corporation a hareholders, but bration, and no so (enter first name	of the sharehold all of the sharehold re listed below. no shareholder chareholders are	owns 10% or mo listed below. and last name)	low. 0% or more of any re of any class of Amateau, Kyle U. Oliver,
President, Vice	.C	retary, Tro	easurer, etc.)			, and title, e.g.
[/] [] NAMES OF T	N OF CORPOR There are 10 or There are more class of stock is There are more of stock issued HE SHAREHO Charles A. Irish, Jr.,	than 10 sh ssued by sa than 10 sh by said co	holders, and all nareholders, and aid corporation an nareholders, but rporation, and nareholders first name	of the sharehold all of the shareh re listed below. no shareholder of shareholders a , middle initial,	owns 10% or moure listed below. and last name)	0% or more of any
	DFFICERS & E			t name, middle i	initial, last name	, and title, e.g.
(check if applica	ble) [✓]		more corporation		l Par. 1(b) is cont	inued further on a

Rezoning Attachment to Par. 1(b)

	DATE: February 28, 2012					
	DATE: reordary 28, 2012 (enter date affidavit is notarized)					
for Application	and the second s					
	(enter County-assigned application number (s))					
NAME & AD M.J. Wells & Ass 1420 Spring Hill McLean, Virginia	Road, Suite 600					
DESCRIPTIO	ON OF CORPORATION: (check one statement)					
	There are 10 or less shareholders, and all of the shareholders are listed below.					
[/]	There are more than 10 shareholders, and all of the shareholders owning 10% or more of any					
	class of stock issued by said corporation are listed below.					
[]	There are <u>more than 10</u> shareholders, but <u>no shareholder owns 10% or more</u> of any class of stock issued by said corporation, and <u>no shareholders are listed below</u> .					
	,					
	FHE SHAREHOLDER: (enter first name, middle initial, and last name) pociates, Inc. Employee Stock Ownership Trust. All employees are eligible plan participants; however, no one employee					
	e of any class of stock.					
	DFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.					
President, Vice	e-President, Secretary, Treasurer, etc.)					
NAME & ADI Hord Coplan Mac 225 Reinekers Lar						
Alexandria, Virgii	nia 22314					
DESCRIPTIO	N OF CORPORATION: (check one statement)					
[/]	There are 10 or less shareholders, and all of the shareholders are listed below.					
[]	There are more than 10 shareholders, and all of the shareholders owning 10% or more of any					
r ı	class of stock issued by said corporation are listed below. There are more than 10 shareholders, but no shareholder owns 10% or more of any class					
[]	of stock issued by said corporation, and no shareholders are listed below.					
	THE SHAREHOLDERS: (enter first name, middle initial, and last name)					
Edward M. Hord,	Lee E. Coplan, Carol D. Macht					
NAMES OF O	OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.					
President, Vic	e-President, Secretary, Treasurer, etc.)					
(check if applica	There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.					
	rezening remainded to rai, r(e) form.					

	DATE: Feburary 28, 2012 (enter date affidavit is notarized)	115809
for Application No. (s)	(enter County-assigned application number(s))	
. ,	g constitutes a listing*** of all of the PARTNERS, both GENERA ip disclosed in this affidavit:	AL and LIMITED, in
	PARTNERSHIP INFORMATION	
PARTNERSHIP NA None	AME & ADDRESS: (enter complete name, number, street, city, stat	e and zip code)
(check if applicable)	[] The above-listed partnership has <u>no limited partners</u> .	
	E OF THE PARTNERS (enter first name, middle initial, last nan mited Partner, or General and Limited Partner)	ne, and title, e.g.

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

for Ap		CDATE: Feburary 28, 2012 (enter date affidavit is notarized) CDA C-108-02 FDOA C-108-04 (enter County-assigned application number(s))	115889
1(d).	One of the following box		
	of any and all other and beneficiary of a	ames listed in Paragraphs 1(a), 1(b), and 1(c) above, the for individuals who own in the aggregate (directly and as a sha trust) 10% or more of the APPLICANT , TITLE OWNILESSEE * of the land:	nareholder, partner,
	aggregate (directly	nes listed in Paragraphs 1(a), 1(b), and 1(c) above, no indivand as a shareholder, partner, and beneficiary of a trust) 10 TLE OWNER, CONTRACT PURCHASER, or LESSE	0% or more of the
2.	his or her immediate hou	Cairfax County Board of Supervisors, Planning Commission as sehold owns or has any financial interest in the subject landip of stock in a corporation owning such land, or through a land.	d either
	EXCEPT AS FOLLOW	VS: (NOTE: If answer is none, enter "NONE" on the line	e below.)
	(check if applicable) [There are more interests to be listed and Par. 2 is co "Rezoning Attachment to Par. 2" form.	ntinued on a

	1	DATE: <u>Feburar</u> (enter	ry 28, 2012 date affidavit is notari	zed)	115809
for A _l	pplication No. (s):	CDPA C-	108 -02 FDPA signed application nur	nber(s))	
3.	Fairfax County Board of household, either directly or attorney, or through a officer, director, employed of stock of a particular clordinary depositor or custincluding any gift or donany of those listed in Particular Countries of the countries	Supervisors, Play or by way of partner of any o ee, agent, or atto lass, has, or has lastomer relationshation having a value of the control o	anning Commission, of artnership in which are fithem, or through a crney or holds 10% or had any business or finip with or by a retail alue of more than \$10	ng of this application, no a correct any member of his or his or the ny of them is a partner, encorporation in which any more of the outstanding inancial relationship, other establishment, public ution, singularly or in the agor "NONE" on line below	ner immediate mployee, agent, of them is an bonds or shares er than any lity, or bank, gregate, with
	the filing of thi		d before each public	ibed in this paragraph th hearing must be disclose	
	(check if applicable) [4	more disclosures to be g Attachment to Par. 3	e listed and Par. 3 is conting form.	nued on a
4.	and trusts owning 10% PURCHASER, or LES and every public hearing	or more of the SEE* of the lan ng on this matte nation, includin	APPLICANT, TITI ad have been listed a er, I will reexamine t g business or financi	e, that all partnerships, LE OWNER, CONTRA and broken down, and the this affidavit and providial relationships of the tapplication.	.CT nat prior to each le any changed
WIT	NESS the following signa	ture:		Baker	
	(check one)	Elizabeth	can D. Baker, attorney/a print first name, middl	[/] Applicant's Authorizagent le initial, last name, and t	
	cribed and sworn to before irginia, Con	me this <u>28</u> unty/City of <u>Arl</u>		20 <u>12</u> , in the	e State/Comm.
Мус	commission expires: 11/30)/2015	_	Notary Fuoric	
FORM	4 RZA-1 Updated (7/1/06)			KIMBERLY K. FOLLIN Registration # 28394! Notary Public COMMONWEALTH OF VIRGINI	.]